Attorney Docket No. 1023-226US01/P-11558.00

# SHUMAKER & SIEFFERT, P.A.

# **United States Patent Application**

MAR 3 1 2004

# COMBINED DECLARATION AND POWER OF ATTORNEY

As below named inventor I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and that I believe I am an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor of matter which is claimed and for which a patent is sought on the invention entitled: DISTRIBUTED SYSTEM FOR NEUROSTIMULATION THERAPY PROGRAMMING

	is claimed and for which a patent is sough N THERAPY PROGRAMMING	nt on the invention entitled:	DISTRIBUTED SYSTEM FOR	R
c. was (in the case of	ch  pplication serial no. and was amended on f a PCT-filed application) described and c nd for which I solicit a United States pater	laimed in international no.	filed and as amended on	(if any),
I hereby state that I have any amendment referred	reviewed and understand the contents of to above.	the above-identified specifi	cation, including the claims, as a	mended by
I acknowledge the duty to Federal Regulations, § 1	to disclose information which is material to .56 (attached hereto).	o the patentability of this ag	oplication in accordance with Tit	le 37, Code of
certificate listed below a	riority benefits under Title 35, United State and have also identified below any foreign the basis of which priority is claimed:			
	have been filed as follows:			
F	OREIGN APPLICATION(S), IF ANY, C	LAIMING PRIORITY UN	DER 35 USC § 119	
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)	
ALL FO	DREIGN APPLICATION(S), IF ANY, FI	LED BEFORE THE PRIO	RITY APPLICATION(S)	
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I hereby claim the benefit of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS
60/422,264	31 October 2002	
60/503,222	15 September 2003	
60/422,263	31 October 2002	

\*28863\*
28863
PATENT TRADEMARK OFFICE

and further appoint the following Practitioners:

Thomas G. Berry	Reg. No. 31,736	Girma Wolde-Michael	Reg. No. 36,724
Daniel G. Chapik	Reg No. 43,424	John Albrecht	Reg. No. 40,481
Stephen W. Bauer	Reg. No. 32,192	Elisabeth Belden	Reg. No. 50,751
James J. Bindseil	Reg. No. 42,326	Kenneth Collier	Reg. No. 34,982
Daniel Greeninger	Reg. No. 48,464	James R. Keogh	Reg. No. 44,824
Daniel W. Latham	Reg. No. 30,401	Curtis D. Kinghorn	Reg. No. 33,926
Paul McDowall	Reg. No. 34,873	Catherine C. Maresh	Reg. No. 35,268
Thomas F. Woods	Reg. No. 36,726	Mark E. O'Connor	Reg. No. 40,108
Richard Yoon	Reg. No. 42,247	Michael Soldner	Reg. No. 41,455

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I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Shumaker & Sieffert, P.A. to the contrary.

Please direct all correspondence in this case to:

Steven J. Shumaker SHUMAKER & SIEFFERT, P.A. 8425 Seasons Parkway, Suite 105 St. Paul, Minnesota 55125 Telephone: 651.735.1100

Facsimile: 651.735.1102

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

	ill Name	Family Name	First Given Name	Second Given Name
	f Inventor	Sieracki	Jeffrey	M.
	esidence	City	State or Foreign Country	Country of Citizenship
	Citizenship	Silver Spring	Maryland	United States of America
4	ost Office ddress	Post Office Address 13506 Collingwood Terrace	City Silver Spring	State & Zip Code/Country MD 20904/USA
Signature	e of Inventor	Allyna	Date:	-29-0-3

	Full Name Of Inventor	Family Name Fowler	First Given Name Kim		Second Given Name R.
	Residence & Citizenship	City Windsor Mill	State or Foreign Count Maryland	ту	Country of Citizenship United States of America
	Post Office Address	Post Office Address 9513 Old Court Road	City Windsor Mill		State & Zip Code/Country MD 21244/USA
Signa	ature of Inventor			Date:	

Full Name	Family Name	First Given Name	Second Given Name
Of Inventor	North	Richard	B.
Residence	City	State or Foreign Country	y Country of Citizenship
& Citizenship	Baltimore	Maryland	United States of America
Post Office	Post Office Address	City	State & Zip Code/Country
Address	1100 Copper Hill Road	Baltimore	MD 21209/USA
ature of Inventor			Date:

#### § 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application:
  - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

Attorney Docket 10 1023-280 \$01/P-11558.00

SHUMAKER & SIEFFERT, P.A.

AR 3 1 2004 🕏 United States Patent Application

# COMBINED DECLARATION AND POWER OF ATTORNEY

As a below myneton of the reby declare that my residence, post office address and citizenship are as stated below next to my name, and that I believe Tam an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: DISTRIBUTED SYSTEM FOR NEUROSTIMULATION THERAPY PROGRAMMING

The specification of which  a. \( \subseteq \) is attached hereto  b. \( \subseteq \) was filed on as application s  c. \( \subseteq \) was (in the case of a PCT-fil  which I have reviewed and for whi	ed application) described and cl	aimed in international no. fil	ed and as amended on (if any),	
I hereby state that I have reviewed any amendment referred to above.	and understand the contents of t	he above-identified specification	n, including the claims, as amended by	
I acknowledge the duty to disclose Federal Regulations, § 1.56 (attach		o the patentability of this applica	tion in accordance with Title 37, Code of	of
	so identified below any foreign a of which priority is claimed: een filed.		n application(s) for patent or inventor's r's certificate having a filing date before	
FOREIGN A	APPLICATION(S), IF ANY, CI	AIMING PRIORITY UNDER	35 USC § 119	. ,
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)	
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\*28863\* 28863

and further appoint the following Practitioners:

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Steven J. Shumaker SHUMAKER & SIEFFERT, P.A. 8425 Seasons Parkway, Suite 105 St. Paul, Minnesota 55125

Telephone: 651.735.1100 Facsimile: 651.735.1102

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Full Name	Family Name	First Given Name	Second Given Name M.
Of Inventor	Sieracki	Jeffrey	
Residence	City	State or Foreign Country	Country of Citizenship
& Citizenship	Silver Spring	Maryland	United States of America
Post Office	Post Office Address	City	State & Zip Code/Country
Address	13506 Collingwood Terrace	Silver Spring	MD 20904/USA
ature of Inventor	:		Date:

	Full Name	Family Name	First Given Name	Second Given Name
	Of Inventor	Fowler	Kim	R.
	Residence	City	State or Foreign Country	Country of Citizenship
	& Citizenship	Windsor Mill	Maryland	United States of America
	Post Office	Post Office Address	City	State & Zip Code/Country
	Address	9513 Old Court Road	Windsor Mill	MD 21244/USA
Signa	ature of Inventor	Nim R. Fowle	Date:	10/30/03

Full Na Of Inve		Family Name North	First Given Name Richard		Second Given Name B.
Reside & Citiz	nce zenship	City Baltimore	State or Foreign Coun Maryland	try	Country of Citizenship United States of America
Post O	1	Post Office Address 1100 Copper Hill Road	City Baltimore		State & Zip Code/Country MD 21209/USA
Signature of I	nventor:			Date:	

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  - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

Attorney Docket No. 1023-	-226US01/P-115	558.00
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SHUMAKER & SIEFFERT, P.A.

# **United States Patent Application**

OMBINED DECLARATION AND POWER OF ATTORNEY

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a. \( \subseteq \) no such applications have be b. \( \subseteq \) such applications have been			
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Full Name	Family Name	First Given Name	Second Given Name
Of Inventor	Sieracki	Jeffrey	M.
Residence	City	State or Foreign Country	Country of Citizenship
& Citizenshi	p Silver Spring	Maryland	United States of America
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Signature of Inventor:			e:

	Full Name Of Inventor	Family Name Fowler	First Given Name Kim		Second Given Name R.
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	Post Office Address	Post Office Address 9513 Old Court Road	City Windsor Mill		State & Zip Code/Country MD 21244/USA
Signa	Signature of Inventor:		Date:		

	Full Name	Family Name	First Given Name	Second Given Name
	Of Inventor	North	Richard	B.
	Residence	City	State or Foreign Country	Country of Citizenship
	& Citizenship	Baltimore	Maryland	United States of America
	Post Office	Post Office Address	City	State & Zip Code/Country
	Address	1100 Copper Hill Road	Baltimore	MD 21209/USA
Signa	ature of Inventor	2 Josep	Date:	10/29/03

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